IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.133 OF 1992

Chandru G.Bijlani ...Applicant

Versus

State of Maharashtra ...Respondent

ALONG WITH

CRIMINAL REVISION APPLICATION NO.154 OF 1992

Pradip Chandrakant Dhairyawan ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.R.C.Dalal for Applicant in CRA 133/1992.

Mr.M.S.Mohite with Mr.Ashok B.Rao for Applicant in CRA 154/1992.

Mr.D.R.More, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 15, 2005.

P.C.

1. This common order will dispose of both the

Revision Applications. The former Application is filed by the Builder who is accused No.1 and the latter is filed by Architect, who is named as accused No.6.

2. After hearing Counsel for the Applicants in both these Revision Applications at length, as I indicated my mind, both the Counsel fairly accept that the Court may not record reasons which may affect the fair trial available to the Applicants herein. In other words, it is submitted that if any opinion is expressed by this Court, one way or the other, that may prejudice the Applicants at the trial.

3. In the circumstances, both Counsel pray that the Applicants be permitted to withdraw the respective Applications.

4. In this peculiar circumstance, both these Applications are dismissed as withdrawn with direction to the Trial Court to proceed with the trial being Special Case No.26 of 1986 as expeditiously as possible.

5. Needless to observe that the trial will proceed on its own merits in accordance with law, uninfluenced by any observations made by the lower Court in the impugned decision or withdrawal of the present Revision Applications. Ordered accordingly.

A.M.KHANWILKAR, J.